

US libraries challenge cyber-porn law

A coalition of public libraries, library patrons and web-site operators have filed a free-speech challenge to a new United States law designed to prevent children from being exposed to internet pornography in public libraries and schools.

Complaining of 'Big Brother' government and free-speech censorship, three dozen plaintiffs led by the American Library Association (ALA) and the American Civil Liberties Union (ACLU) sued the Federal Communications Commission and the Institute of Museum and Library Services to overturn the *Children's Internet Protection Act* (CIPA).

CIPA, signed into law by former President Bill Clinton last December and due to take effect on 20 April, represents the third attempt by Congress to control pornography on the internet. It requires public libraries and schools to equip computers with filtering software designed to block access to pornographic websites. Public libraries that fail to comply with CIPA risk losing discounts on internet access as well as federal grants. Libraries annually receive about \$65 million in such discounts and \$150 million in grants.

The plaintiffs include seven state and regional library associations and four library systems. The US National School Boards Association, which represents 15 000 public school districts, said it also opposed the law and was contemplating legal action of its own.

CIPA opponents want a three-judge panel to issue an injunction that would permanently prevent CIPA from taking effect on grounds that it violates the right to free speech guaranteed by the First Amendment to the *United States Constitution*.

'CIPA is, in short, unworkable and fundamentally misguided,' said John Berry, president-elect of ALA, which represents more than 3000 public libraries. 'This Act imposes unprecedented and sweeping federal speech restrictions on public libraries across the nation.'

Earlier attempts by Congress to control internet pornography have failed. The 1996 *Communications Decency Act* was thrown out by the US Supreme Court as an infringement of free speech, and the 1998 *Child Online Protection Act* remains sidelined by a court injunction.

Independent experts on constitutional law said CIPA appeared vulnerable to free-speech challenges.

'The government has significant power to decide what to fund and what not. But at the same time, once it begins the funding process, it cannot withhold funds in a way which appears designed to prevent public discussion of certain matters,' said First Amendment attorney Floyd Abrams.

Opponents say CIPA would hurt poor people who rely on public libraries and schools for internet access because they cannot afford their own computers. ■

Do you want to work in the UK?

TFPL is a UK based Recruitment Agency specialising in the Library, Information, Records and Knowledge Management Sector. We have Temporary/Contract vacancies ranging from one day to two years.

If you are interested in working throughout the UK please contact Jayne Garner, Keri Weekes, Luisa Jefford or Anna Acland on **020 7251 5522** on your arrival or when you require work during your stay.



www.tfpl.com

TFPL Recruitment, 17-18 Britton Street, London EC1M 5TL

Ph: +44 020 7251 5522 Fax: +44 020 7336 0605 e-mail: recruitment@tfpl.com

MAP 4093